

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**ADAM SAVETT, individually and on behalf of
all others similarly situated,**

Plaintiff,

v.

ANTHEM, INC, an Indiana corporation,

Defendant.

Case No. 1:18-cv-00274

Judge Christopher A. Boyko

**DEFENDANT ANTHEM, INC.'S
MOTION TO EXCUSE PERSONAL
ATTENDANCE AT THE CASE
MANAGEMENT CONFERENCE
SCHEDULED FOR JUNE 20, 2018**

**DEFENDANT ANTHEM INC.'S MOTION TO EXCUSE PERSONAL ATTENDANCE
AT THE CASE MANAGEMENT CONFERENCE SCHEDULED FOR JUNE 20, 2018**

Defendant Anthem, Inc. ("Anthem"), by and through their undersigned counsel, and pursuant to Local Rule 16.3 and the Court's Notice of Case Management Conference, hereby respectfully moves this Court for an Order excusing personal attendance of its corporate representative at the initial Case Management Conference ("CMC") scheduled for June 20, 2018.

Plaintiff has filed this action against Anthem alleging that it violated the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227, *et seq.* by placing calls to Plaintiff's landline, which is a reassigned number, without his consent. Anthem's corporate representative is located in Richmond, Virginia and traveling to Cleveland, Ohio for the CMC would be a hardship for Anthem. The undersigned have represented Anthem across the country in TCPA litigation for several years and are fully aware of the issues related to Plaintiff's claims and

Anthem's defenses. The initial CMC should not involve any unique issues requiring input from the parties' corporate representatives. At least one of the undersigned, who is and will be fully informed regarding the facts of this case, will be in attendance at the CMC. Moreover, the parties, through their respective counsel, have already preliminarily explored settlement potential, and at this time it does not appear that personal appearance by Anthem at the CMC will bring the parties closer to a resolution. Should consultation with a corporate representative become necessary, that representative can be made available by telephone.

For the above stated reasons, Anthem respectfully requests that it be excused from personally appearing at the CMC scheduled for June 20, 2018.

Respectfully submitted,

Dated: June 5, 2018

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ANTHEM, INC.

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of June, 2018, a true and correct copy of the foregoing *Defendant's Motion to Excuse Personal Attendance* was filed and served electronically via the Court's CM/ECF System upon those who are registered to receive electronic notice.

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